97TH CONGRESS
2d Session

SENATE

TREATY DOC.
No. 97-25

CONVENTION FOR THE CONSERVATION OF SALMON IN THE NORTH ATLANTIC OCEAN

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

THE CONVENTION FOR THE CONSERVATION OF SALMON IN THE NORTH ATLANTIC OCEAN, SIGNED IN MARCH 1982 BY THE UNITED STATES, CANADA, THE EUROPEAN COMMUNITY, ICELAND, AND NORWAY

JUNE 23, 1982.—Convention was read the first time and, together with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed for the use of the Senate

---

U.S. GOVERNMENT PRINTING OFFICE

89-118 O

WASHINGTON: 1982

S385-4.

LETTER OF TRANSMITTAL

THE WHITE HOUSE, *June 22, 1982.*

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, the Convention for the Conservation of Salmon in the North Atlantic Ocean which has been signed by the United States, European Community, Iceland, Norway and Canada. It will enter into force following ratification by not less than four Contracting Parties of which one must be the United States. Also transmitted for the information of the Senate is the report of the Department of State with respect to the Treaty.

Work on this Convention was initiated in 1978 by the United States to develop a new organization to address Atlantic salmon conservation, restoration and management issues through international cooperation. The Convention will provide an effective forum for salmon producing states and salmon harvesting states to work together cooperatively in solving critical salmon conservation and management problems in the Atlantic region. It will focus attention on worldwide Atlantic salmon conservation and management programs and augment current domestic and international efforts to restore these valuable resources.

I recommend that the Senate give early consideration to the Treaty and give its advice and consent to ratification.

RONALD REAGAN.

LETTER OF SUBMITTAL

DEPARTMENT OF STATE,
Washington, June 7, 1982.

The PRESIDENT,
The White House.

THE PRESIDENT: I have the honor to submit to you, with the view to its transmission to the Senate for advice and consent to ratification, the Convention for the Conservation of Salmon in the North Atlantic Ocean. This Convention was signed in March 1982 by the United States, Canada, the European Community, Iceland and Norway. This Convention was negotiated pursuant to provisions of the Magnuson Fishery Conservation Management Act of 1976 (MFCMA), which mandates that the Secretary of State shall initiate negotiations to protect United States interests pertaining to anadromous (e.g., salmon) resources.

As a result of domestic and international concern regarding the worldwide decline in salmon stocks, the United States took the lead in 1978 in developing a new organization to address Atlantic salmon conservation, restoration and management issues. This Convention is necessary to replace ineffective and short-term bilateral arrangements with a long-term institution to enable salmon producing states and salmon harvesting states to work together cooperatively. The Convention will, for the first time, focus international attention on the unique status of Atlantic salmon stocks and the necessity of taking effective action to restore these valuable resources.

The Convention applies to salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal States of the Atlantic Ocean north of 36 degrees North Latitude throughout their migratory range. Salmon spawning in United States rivers, for example, migrate through the Canadian and Greenland fishery jurisdictions—and are intercepted by fishermen of both those countries—before they can return to spawn in United States rivers. These foreign salmon catches must be controlled in order for us to be able to manage and conserve United States salmon. Similarly, salmon of Canadian and European origin are intercepted off foreign coasts, particularly off Greenland and, in the case of some European salmon, off the Faroe Islands.

The Convention will help in several ways to control foreign catches of United States origin salmon. First, fishing beyond 12 miles of the coast would be prohibited except in the case of Greenland and the Faroe Islands. This would not affect United States fishing patterns because there are no salmon fisheries now operating beyond 12 miles from our coast, and none are expected to become viable for decades.

Second, the Convention will establish a new organization consisting of a council and three regional commissions to promote and coordinate conservation, restoration and scientific investigation of salmon in the North Atlantic Ocean. These regional commissions will be empowered to adopt proposals to regulate the interceptions by one country of salmon originating in rivers of other countries. Again, this will not lead to limits on United States fishermen because the United States does not intercept salmon of foreign origin.

The result of these measures is that more salmon will return to spawn in their rivers of origin—not just in the United States but in Canada, Iceland, Norway, Sweden, the United Kingdom and elsewhere.

United States salmon interests have been closely involved in the negotiations of this Convention and are in favor of its ratification. Interested Members of Congress and appropriate Congressional committees have been briefed and are in favor of the Convention. The Departments of State, Commerce and Interior also recommend ratification.

Analysis of Treaty text

Article 1 states that the Convention shall apply to salmon stocks which migrate beyond coastal State fishery jurisdiction zones in the North Atlantic Ocean. It would apply to migrating salmon throughout their range, including within their rivers of origin, but would not apply to nonmigrating stocks, such as salmon which are farmed. Arti-

cle 1 also contains the standard proviso that the Convention is made without prejudice to the positions of the Parties regarding the extent of fisheries jurisdiction or the law of the sea.

Article 2(1) prohibits salmon fishing beyond areas of fisheries jurisdiction of coastal States. This prohibition is significant, for it incorporates in a multilateral treaty the concept, long supported by the United States, that salmon fishing should not be conducted on the high seas beyond areas of coastal State fisheries jurisdiction. Although the Convention does not in itself prohibit such high seas fishing by nationals of non-Parties, it will contribute to the development of such a principle in customary international law.

Article 2(2) prohibits high seas salmon fishing within areas of coastal State fisheries jurisdiction, beyond 12 miles from the baselines from which the territorial sea is measured. This will reduce the incident of interceptions of salmon originating in other States. There are special exceptions for Greenland and the Faroe Islands.

Article 3 establishes the North Atlantic Salmon Conservation Organization (NASCO), which shall consist of a Council, three Commissions, and an administrative Secretary. The Commissions are divided by area: North America, West Greenland and the North-East Atlantic.

Article 4 describes the functions of the Council. The key functions are, first, to provide a forum for discussions among Parties of matters concerning North Atlantic salmon and, second, to direct the overall operation of NASCO. In addition, although regulatory decisions are left to the Commissions, the Council may make non-bidding recommendations to the Parties and Commissions on regulatory measures and other matters.

Articles 5 and 6 deal with the composition and operation of the Council. Each Party is a member of the Council and has one vote in Council proceedings. Council decisions require a three-quarters majority vote.

Articles 7 and 8 set forth the terms of reference for the three Commissions. Since membership in the North American Commission is restricted to the United States and Canada, it was possible in Article 7 to set slightly different terms of reference for this Commission than the terms set by Article 8 for the West Greenland and North-East Atlantic Commissions. Basically, however, the three Commissions are structured alike. The Convention invests the Commissions, not the Council, with regulatory authority. Each Commission has the power to propose regulatory measures for salmon fishing in the area of fisheries jurisdiction of a Commission member which harvest salmon originating in the rivers of other Parties. Thus, the Commissions may propose regulations for intercepting salmon fisheries: they may not propose regulations for fisheries of one Party which harvest salmon bound for that Party's own rivers. Since the United States intercepts virtually no salmon bound for foreign rivers, it is highly unlikely that regulatory measures will be proposed for salmon fisheries in United States waters. Note that the Convention provides elsewhere that all Commission decisions are made by unanimous vote, and that the affected Party has in each case a right to stop Commission proposals from becoming binding.

In addition to making regulatory proposals for their respective areas, the Commissions shall serve as forums for consultation and cooperation among their members on matters concerning Atlantic salmon, and shall make recommendations to the Council concerning the undertaking of scientific research.

Paragraph 2 of Article 7 directs the United States and Canada to minimize by-catches of salmon originating in each other's rivers. This provision is directed at Canada, where by-catches of salmon are quite high, and not at United States fisheries, which do not intercept foreign salmon. Finally, paragraph 3 states that fishing patterns in salmon fisheries in the North American Commission area shall not be altered in a manner that increases interceptions, except with the consent of the State of origin. Since few salmon spawning in other States are ever present in the United States fishery conservation zone, this provision is not expected to affect United States fishing patterns.

Article 9 requires the Commissions in fulfilling their functions to take into account certain factors, such as the best available scientific information and the interests of communities which are particularly dependent on salmon fisheries. It is important to note that the Commissions are also directed to take into account the contributions of States, both States of origin and intercepting States, to the conservation of salmon stocks. Presumably such contributions would affect the regulatory measures proposed by the Commissions. This should encourage affected States to invest in salmon conservation, whether by capital expenditures such as the construction of hatcheries or fish ladders, or by limiting catches. Article 9 also directs the Commissions to take into account "the relative effects of harvesting salmon at different stages of their migration routes." This directs the Commission to consider the disadvantages of high seas salmon fisheries, i.e., that such fisheries unavoidably harvest mixed stocks, and thus impede rational management, that salmon caught on the high seas yield less meat than salmon caught at the end of their migration routes, and that, in the case of the Atlantic salmon, in-stream recreational fisheries may produce more economic benefit than high seas commercial harvesting.

Article 10 concerns membership in the Commissions. The United States shall be a member of the North American and West Greenland Commissions, and may participate as an observer in the deliberations of the North-East Atlantic Commission.

Article 11 concerns the rules of procedure in the Commissions. Most importantly, all decisions of the Commissions must be taken by unanimous vote. Normally only Commission members may vote, but the EC may also vote in the North American Commission on any proposals for regulatory measures affecting European origin salmon. Similarly, Canada and the United States may vote on regulatory proposals of the North-East Atlantic Commission affecting salmon stocks originating in their countries and occurring off East Greenland.

Article 12 provides for the appointment of a Secretary, who shall be the chief administrative officer of NASCO.

Article 13 states that regulatory measures proposed by the Commissions shall become binding on Commission members 60 days after formal notification to the members, unless an objection is lodged. Only

the member in whose area of fisheries jurisdiction the measure would apply is entitled to lodge an objection. Once the 60 day objection period has passed, the measure becomes binding on all members. After one year has passed, the member in whose area of fisheries jurisdiction the measure would apply has the right to terminate the measure by filing a denunciation.

Article 14 obligates each Party to take the necessary action to implement the Convention and the regulatory measures. The implementing legislation necessary to assure United States compliance with this obligation will be proposed to Congress later for its consideration.

Article 15 requires the Parties to provide the Council with relevant information, including catch and other statistics, scientific information, and laws and regulations.

Article 16 concerns the budget for NASCO. Happily, the Convention adopts a budget formula which does not unfairly exaggerate the size of the United States contribution. Thirty percent of the budget shall be divided equally among the Parties. The remaining 70 percent shall be divided in proportion to each Party's salmon catches. Since United States Atlantic salmon catches are still small in comparison to those of other countries, the total United States share of the annual budget will probably be about 5 percent for the near future.

Article 17 opens participation in the Convention to Canada, Denmark in respect of the Faroe Islands, the European Economic Community, Iceland, Norway, Sweden and the United States of America. Other States which exercise fisheries jurisdiction in the North Atlantic, or are States of origin for salmon stocks subject to the Convention, may accede to the Convention, if approved by the Council. The Convention shall enter into force following the deposit of instruments of ratification or accession of at least four Parties, provided certain conditions are satisfied. The result is that the Convention cannot enter into force without the participation of the United States, the European Economic Community and Canada.

Article 18 provides that the Convention will apply to the territories incorporated in the European Economic Community.

Under Article 19, amendments to the Convention require the unanimous vote of the Council as well as the deposit by each Party of an instrument of ratification or approval to the amendment.

Article 20 permits any party to withdraw from the Convention on December 31 of any year after giving at least six months notice.

Article 21 designates the European Economic Community as Depositary for the Convention.

Respectfully submitted.

WALTER J. STOESSEL, Jr.

CONVENTION FOR THE CONSERVATION OF SALMON IN THE NORTH ATLANTIC OCEAN

The parties to this Convention,

Recognizing that salmon originating in the rivers of different States intermingle in certain parts of the North Atlantic Ocean,

Taking into account international law, the provisions on anadromous stocks of fish in the Draft Convention of the Third United Nations Conference on the Law of the Sea and other developments in international fora relating to anadromous stocks,

Desiring to promote the acquisition, analysis and dissemination of scientific information pertaining to salmon stocks in the North Atlantic Ocean,

Desiring to promote the conservation, restoration, enhancement and rational management of salmon stocks in the North Atlantic Ocean through international co-operation,

Have agreed as follows:

ARTICLE 1

1. This Convention applies to the salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal States of the Atlantic Ocean north of 36°N latitude throughout their migratory range.

2. Nothing in this Convention shall affect the rights, claims or views of any Party with regard to the limits or extent of jurisdiction over fisheries, nor shall it prejudice the views or positions of any Party with respect to the law of the sea.

ARTICLE 2

1. Fishing of salmon is prohibited beyond areas of fisheries jurisdiction of coastal States.

2. Within areas of fisheries jurisdiction of coastal States, fishing of salmon is prohibited beyond 12 nautical miles from the baselines from which the breadth of the territorial sea is measured, except in the following areas:

(a) in the West Greenland Commission area, up to 40 nautical miles from the baselines; and

(b) in the North-East Atlantic Commission area, within the area of fisheries jurisdiction of the Faroe Islands.

3. The Parties shall invite the attention of any State not a Party to this Convention to any matter relating to the activities of the vessels of that State which appears to affect adversely the conservation, restoration, enhancement or rational management of salmon stocks subject to this Convention or the implementation of the Convention.

ARTICLE 3

1. There is hereby established an international organization that shall be known as the North Atlantic Salmon Conservation Organization, hereinafter referred to as the "Organization."

2. The objective of the Organization shall be to contribute through consultation and co-operation to the conservation, restoration, enhancement and rational management of salmon stocks subject to this Convention, taking into account the best scientific evidence available to it.

3. The Organization shall consist of:

(a) a Council,

(b) three regional Commissions: A North American Commission, a West Greenland Commission and a North-East Atlantic Commission, and

(c) a Secretary.

4. The areas of the Commissions shall be as follows:

(a) North American Commission: maritime waters within areas of fisheries jurisdiction of coastal States off the east coast of North America;

(b) West Greenland Commission: maritime waters within the area of fisheries jurisdiction off the coast of West Greenland west of a line drawn along 44°W longitude south to 59°N latitude, thence due east to 42°W longitude and thence due south; and

(c) North-East Atlantic Commission: maritime waters east of the line referred to in subparagraph (b).

5. The Organization shall have legal personality and shall enjoy in the territories of the Parties and in its relations with other international organizations such legal capacity as may be necessary to perform its functions and achieve its ends. The immunities and privileges which the Organization, its officers and staff and representatives of the Parties shall enjoy in the territory of a State shall be subject to agreement between the Organization and the State concerned.

6. The official languages of the Organization shall be English and French.

7. The office of the Organization shall be at Edinburgh or at such other place as the Council may decide.

ARTICLE 4

1. The functions of the Council shall be:

(a) to provide a forum for the study, analysis and exchange of information among the Parties on matters concerning the salmon stocks subject to this Convention, and on the achievement of the objective of the Convention;

(b) to provide a forum for consultation and co-operation on matters concerning the salmon stocks in the North Atlantic Ocean beyond Commission areas;

(c) to facilitate the co-ordination of the activities of the Commissions and to co-ordinate the initiatives of the Parties under article 2, paragraph 3;

BEST COPY AVAILABLE

(d) to establish working arrangements with the International Council for the Exploration of the Sea and other appropriate fisheries and scientific organizations;

(e) to make recommendations to the Parties, the International Council for the Exploration of the Sea or other appropriate fisheries and scientific organizations concerning the undertaking of scientific research;

(f) to supervise and co-ordinate the administrative, financial and other internal affairs of the Organization, including the relations among its constituent bodies;

(g) to co-ordinate the external relations of the Organization; and

(h) to perform such other functions as are conferred on it by this Convention.

2. The Council shall have the authority to make recommendations to the Parties and the Commissions on matters concerning salmon stocks subject to this Convention, including the enforcement of laws and regulations, provided that no recommendation shall be made concerning the management of salmon harvests within the area of fisheries jurisdiction of a Party.

3. Notwithstanding paragraph 2, upon the specific request of a Commission, the Council shall have the authority to make recommendations to that Commission on regulatory measures which the Commission may propose pursuant to this Convention.

ARTICLE 5

1. Each Party shall be a member of the Council and may appoint to the Council not more than three representatives who may be accompanied at its meetings by experts and advisers.

2. The Council shall elect a President and Vice-President who shall serve for two years. They shall be eligible for re-election, provided that they not serve for more than four years in succession in each office. The President and Vice-President shall not be representatives of the same Party.

3. The President of the Council shall be the principal representative of the Organization.

4. The President shall convene a regular annual meeting of the Council and the Commissions at a time and place determined by the Council.

5. Upon the request of a Party with the concurrence of another Party the President shall call meetings of the Council other than annual meetings at such time and place as the President may determine.

6. The Council shall submit to the Parties an annual report of the activities of the Organization.

ARTICLE 6

1. The Council shall adopt its rules of procedure.
2. Each member of the Council shall have one vote in its proceedings.
3. Except where otherwise provided, decisions of the Council shall

be taken by a three-quarters majority of the votes of the members present and casting an affirmative or negative vote. No vote shall be taken unless two thirds of the members are present.

ARTICLE 7

1. The functions of the North American Commission with regard to its area shall be:

(a) to provide a forum for consultation and co-operation between the members:

(i) on matters related to minimizing catches in the area of fisheries jurisdiction of one member of salmon originating in the rivers of another Party, and

(ii) in cases where activities undertaken or proposed by one member affect salmon originating in the rivers of the other member because, for example, of biological interactions;

(b) to propose regulatory measures for salmon fisheries under the jurisdiction of a member which harvest amounts of salmon significant to the other member in whose rivers that salmon originates, in order to minimize such harvests;

(c) to propose regulatory measures for salmon fisheries under the jurisdiction of a member which harvest amounts of salmon significant to another Party in whose rivers that salmon originates; and

(d) to make recommendations to the Council concerning the undertaking of scientific research.

2. Each member shall, with respect to its vessels and the area under its fisheries jurisdiction, take the measures necessary to minimize by-catches of salmon originating in the rivers of the other member.

3. Fishing patterns in salmon fisheries in the North American Commission area shall not be altered in a manner which results in the initiation of fishing or increase in catches of salmon originating in the rivers of another Party, except with the consent of the latter.

ARTICLE 8

The functions of the West Greenland Commission and the North-East Atlantic Commission with regard to their respective areas shall be:

(a) to provide a forum for consultation and co-operation among the members concerning the conservation, restoration, enhancement and rational management of salmon stocks subject to this Convention;

(b) to propose regulatory measures for fishing in the area of fisheries jurisdiction of a member of salmon originating in the rivers of other Parties; and

(c) to make recommendations to the Council concerning the undertaking of scientific research.

ARTICLE 9

In exercising the functions set out in articles 7 and 8, a Commission shall take into account:

(a) the best available information, including advice from the International Council for the Exploration of the Sea and other appropriate scientific organizations;

(b) measures taken and other factors, both inside and outside the Commission area, that affect the salmon stocks concerned;

(c) the efforts of States of origin to implement and enforce measures for the conservation, restoration, enhancement and rational management of salmon stocks in their rivers and areas of fisheries jurisdiction, including measures referred to in article 15, paragraph 5 (b);

(d) the extent to which the salmon stocks concerned feed in the areas of fisheries jurisdiction of the respective Parties;

(e) the relative effects of harvesting salmon at different stages of their migration routes;

(f) the contribution of Parties other than States of origin to the conservation of salmon stocks which migrate into their areas of fisheries jurisdiction by limiting their catches of such stocks or by other measures; and

(g) the interests of communities which are particularly dependent on salmon fisheries.

ARTICLE 10

1. The Parties shall be members of the Commission as follows:

(a) North American Commission: Canada and the United States of America;

(b) West Greenland Commission: Canada, the European Economic Community and the United States of America;

(c) North-East Atlantic Commission: Denmark in respect of the Faroe Islands, the European Economic Community, Iceland, Norway and Sweden.

2. At its first meeting the Council shall review and may by unanimous vote modify the membership of the West Greenland Commission.

3. A Party not mentioned in paragraph 1(b) may, at its request and upon the unanimous decision of the Council, become a member of the West Greenland Commission or the North-East Atlantic Commission if it is a State of origin for significant quantities of salmon occurring in the respective Commission area or if it exercises fisheries jurisdiction in that area.

4. Parties may participate as observers in the deliberations of a Commission of which they are not members.

5. Each member may appoint to a Commission not more than three representatives who may be accompanied at its meetings by experts and advisers.

6. Each Commission shall elect a Chairman and Vice-Chairman who shall serve for two years. They shall be eligible for re-election, provided that they not serve for more than four years in succession in each office. The Chairman and Vice-Chairman shall not be representatives of the same member.

7. Upon the request of a member of a Commission with the concurrence of another member the Chairman shall call meetings of the Commission other than annual meetings at such time and place as the Chairman may determine.

8. Each Commission shall, on a timely basis, make a report of its activities to the Council.

ARTICLE 11

1. Each Commission shall adopt its rules of procedure.

2. Each member of a Commission shall have one vote in its proceedings. In addition, in the case of the North American Commission, the European Economic Community shall have the right to submit and vote on proposals for regulatory measures concerning salmon stocks originating in the territories referred to in article 18. In the case of the North-East Atlantic Commission, Canada and the United States of America shall each have the right to submit and vote on proposals for regulatory measures concerning salmon stocks originating in the rivers of Canada or the United States of America, respectively, and occurring off East Greenland.

3. Decisions of a Commission shall be taken by the unanimous vote of those present and casting an affirmative or negative vote. No vote shall be taken unless two thirds of those entitled to vote on the matter concerned are present.

ARTICLE 12

1. The Council shall appoint a Secretary, who shall be the chief administrative officer of the Organization.

2. The functions of the Secretary shall be:

(a) to provide administrative services to the Organization;

(b) to compile and disseminate statistics and reports concerning the salmon stocks subject to this Convention; and

(c) to perform such functions as follow from other provisions of this Convention or as the Council may determine.

3. The Council shall determine the conditions of employment of the Secretary and staff.

4. The Secretary shall appoint the staff in accordance with staffing requirements approved by the Council. The staff shall be responsible to the Secretary, subject to the general supervision of the Council.

ARTICLE 13

1. The Secretary shall, without undue delay, notify the members of a Commission of any regulatory measure proposed by that Commission.

2. Subject to paragraph 3, a regulatory measure proposed by a Commission under article 7, paragraph 1(b) or (c), or article 8, subparagraph (b), shall become binding on its members 60 days after the date specified in the Secretary's notification or, if a later date is determined by the Commission, on such date.

3. Any member in whose area of fisheries jurisdiction a regulatory measure would apply may, within 60 days of the date specified in the Secretary's notification, lodge an objection to it. In this case the regulatory measure shall not become binding on any member. A member which has lodged an objection may at any time withdraw it. Thirty days after all objections are withdrawn the regulatory measure shall become binding, subject to paragraph 2.

4. After the expiration of one year from the date on which a regulatory measure becomes binding, any member in whose area of fisheries jurisdiction the regulatory measure applies may denounce it by written notice to the Secretary. The Secretary shall immediately inform the other members of such denunciation. The regulatory measure shall cease to be binding on all members 60 days after the date of receipt by the Secretary of the notice of denunciation or, if a later date is indicated by the member, on such date.

5. A Commission may propose an emergency regulatory measure having effect prior to the expiration of the 60-day period referred to in paragraph 2. The members shall make best efforts to implement the measure, unless there is an objection by a member within 30 days after the Commission has proposed it.

ARTICLE 14

1. Each Party shall ensure that such action is taken, including the imposition of adequate penalties for violations, as may be necessary to make effective the provisions of this Convention and to implement regulatory measures which become binding on it under article 13.

2. Each Party shall transmit to the Council an annual statement of the actions taken pursuant to paragraph 1. Such statement shall be sent to the Secretary not later than 60 days before the annual meeting of the Council.

ARTICLE 15

1. Each Party shall provide to the Council available catch statistics for salmon stocks subject to this Convention taken in its rivers and area of fisheries jurisdiction at such intervals as the Council may determine.

2. Each Party shall compile and provide to the Council such other statistics for salmon stocks subject to this Convention in its rivers and area of fisheries jurisdiction as required by the Council. The Council shall decide by unanimous vote the scope and form of such statistics and the intervals at which they shall be provided.

3. Each Party shall provide the Council with any other available scientific and statistical information which it requires for the purposes of this Convention.

4. Upon the request of the Council each Party shall provide to the Council copies of laws, regulations and programmes in force or, where appropriate, summaries thereof, relating to the conservation, restoration, enhancement and rational management of salmon stocks subject to this Convention in its rivers and area of fisheries jurisdiction.

5. Each year each Party shall notify the Council of:

(a) the adoption or repeal since its last notification of laws, regulations and programmes relating to the conservation, restoration, enhancement and rational management of salmon stocks subject to this Convention in its rivers and area of fisheries jurisdiction;

(b) any commitments by the responsible authorities concerning the adoption or maintenance in force for specified periods of time within its territory or area of fisheries jurisdiction of measures

relating to the conservation, restoration, enhancement and rational management of salmon stocks subject to this Convention; and

(c) factors within its territory and area of fisheries jurisdiction which may significantly affect the abundance of salmon stocks subject to this Convention.

6. The notifications referred to in paragraph 5 (a) shall be sent to the Secretary not later than 60 days before the annual meeting of the Council. The notifications referred to in paragraph 5 (b) and (c) shall be sent to the Secretary as soon as practicable.

ARTICLE 16

1. The Council shall adopt an annual budget for the Organization. The Secretary shall transmit a draft budget to the Parties, together with a schedule of contributions, not later than 60 days before the meeting of the Council at which the budget is to be considered.

2. The Council shall determine the annual contribution of each Party according to the following formula:

(a) 30 percent of the budget shall be divided equally among the Parties; and

(b) 70 percent of the budget shall be divided among the Parties in proportion to their nominal catches of salmon subject to this Convention in the calendar year ending not more than 18 months and not less than 6 months before the beginning of the financial year.

3. The Secretary shall notify each Party of its contribution. Contributions shall be paid not later than four months after the date of such notification.

4. Contributions shall be payable in the currency of the State in which the office of the Organization is located, unless the Council decides otherwise.

5. The contribution of a Party for which this Convention has entered into force during the course of a financial year shall for that year be a part of the annual contribution proportional to the number of complete months remaining in the year from the date of entry into force for that Party.

6. A Party which has not paid its contributions for two consecutive years shall not be entitled to vote under this Convention until it has fulfilled its obligations, unless the Council decides otherwise.

7. The financial affairs of the Organization shall be audited annually by external auditors to be selected by the Council.

ARTICLE 17

1. This Convention shall be open for signature at Reykjavik from 2 March to 31 August 1982 by Canada, Denmark in respect of the Faroe Islands, the European Economic Community, Iceland, Norway, Sweden and the United States of America.

2. This Convention shall be subject to ratification or approval.

3. This Convention shall be open for accession by the parties referred to in paragraph 1 and, subject to the approval of the Council,

by any other State that exercises fisheries jurisdiction in the North Atlantic Ocean or is a State of origin for salmon stocks subject to this Convention.

4. Instruments of ratification, approval or accession shall be deposited with the Depositary.

5. This Convention shall enter into force on the first day of the month following the deposit of instruments of ratification, approval or accession by four Parties, provided that among the four Parties are two members of each Commission and that at least one of the two members of each Commission exercises fisheries jurisdiction in the Commission area.

6. For each Party ratifying, approving or acceding to this Convention after the deposit of the requisite instruments of ratification, approval or accession under paragraph 5, it shall enter into force on the date of entry into force of the Convention or on the date of deposit of the instrument of ratification, approval or accession, whichever is the later.

7. The Depositary shall inform the signatories and acceding Parties of the deposit of all instruments of ratification, approval and accession and shall notify the signatories and acceding Parties of the date and the Parties in respect of which Convention enters into force.

8. The Depositary shall call the first meeting of the Council and the Commissions as soon as practicable after the entry into force of this Convention.

ARTICLE 18

This Convention shall apply, insofar as the European Economic Community is concerned, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty.

ARTICLE 19

1. Any Party may propose amendments to this Convention to be considered by the Council. A proposed amendment shall be sent to the Secretary not later than 90 days before the meeting at which it is proposed to be considered. The Secretary shall immediately transmit the proposed amendment to the Parties.

2. The adoption of an amendment by the Council shall require the unanimous vote of the Parties present and casting an affirmative or negative vote. The text of an amendment so adopted shall be transmitted by the Secretary to the Depositary which shall immediately notify the Parties thereof.

3. An amendment shall enter into force for all Parties 30 days after the date specified in the notification by the Depositary of receipt from all Parties of instruments of ratification or approval.

4. A Party which becomes bound by this Convention after an amendment has entered into force in accordance with paragraph 3 shall be considered as a Party to the Convention as amended.

5. The Depositary shall immediately notify all Parties of the receipt of instruments of ratification or approval and the entry into force of amendments.

ARTICLE 20

1. Any Party may denounce this Convention with effect from 31 December of any year by giving notice to the Depositary on or before the preceding 30 June. The Depositary shall immediately inform the other Parties of such denunciation.

2. Any other Party may denounce this Convention with effect from the same 31 December by giving notice to the Depositary within 30 days of the date on which the Depositary informed the Parties of a denunciation under paragraph 1.

ARTICLE 21

1. The original of this Convention shall be deposited with the Council of the European Communities, referred to in the Convention as the "Depositary", which shall transmit certified copies thereof to all signatories and acceding Parties.

2. The Depositary shall register this Convention in accordance with article 102 of the Charter of the United Nations.

○